

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**SHONDELL KILLEBREW,
Plaintiff,**

v.

Case No. 14-CV-1572

**ROBERTA GAITHER, JEFFREY PECK, and LATOSHA PERRY,
Defendants,**

DECISION AND ORDER

Plaintiff, Shondell Killebrew, filed a pro se complaint under 42 U.S.C. § 1983. I directed plaintiff to forward to the Clerk of Court \$1.16 as an initial partial filing fee in this action. Plaintiff first filed a request to waive the initial partial filing fee on January 12, 2015, along with a copy of his prisoner trust account statement showing a zero balance in all of his accounts. Although plaintiff receives an average monthly deposit of \$5.12, any money that arrives in his account is immediately transferred to pay existing debts. Again on February 2, 2015, plaintiff submitted his prison trust account statement with a request to waive the initial partial filing fee. “In no event shall a prisoner be prohibited from bringing a civil action . . . for the reason that the prisoner has no assets and no means by which to pay the initial partial filing fee.” 28 U.S.C. § 1915(b)(4).

THEREFORE, IT IS ORDERED that plaintiff’s request to waive the initial partial filing fee (Docket #8) is **GRANTED**. I will issue a separate order screening plaintiff’s complaint.

Dated at Milwaukee, Wisconsin, this 10th day of February, 2015.

s/ Lynn Adelman

LYNN ADELMAN
District Judge